

Article 1: Base Zones

Division 3: Agricultural Base Zones

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0301 Purpose of Agricultural Zones

The purpose of the agricultural zones is to provide for areas that are rural in character or areas where agricultural uses are currently desirable. The agricultural zones are intended to accommodate a wide range of agriculture and agriculture-related uses as well as *single dwelling units*.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0302 Purpose of the AG (Agricultural--General) Zones

(a) The purpose of the AG zones is to accommodate all types of agricultural uses and some minor agricultural sales on a long-term basis. Nonagricultural uses are limited in the AG zones in order to strengthen the presence and retention of traditional agricultural uses.

(b) The AG zones are differentiated based on the minimum *lot* size as follows:

- AG-1-1 requires minimum 10-acre *lots*
- AG-1-2 requires minimum 5-acre *lots*

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0303 Purpose of the AR (Agricultural--Residential) Zones

(a) The purpose of the AR zones is to accommodate a wide range of agricultural uses while also permitting the *development* of *single dwelling unit* homes at a very low *density*. The agricultural uses are limited to those of low intensity to minimize the potential conflicts with residential uses. This zone is applied to lands that are in agricultural use or that are undeveloped and not appropriate for more intense zoning. Residential *development* opportunities are permitted with a Planned Development Permit at various densities that will preserve land for open space or future *development* at urban intensities when and where appropriate.

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(b) The AR zones are differentiated based on the minimum *lot* size as follows:

- AR-1-1 requires minimum 10-acre *lots*
- AR-1-2 requires minimum 1-acre *lots*

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0315 Where Agricultural Zones Apply

On the effective date of Ordinance O-18691, all agricultural zones that were established in Municipal Code Chapter 10, Article 1, Division 4 shall be amended and replaced with the base zones established in this division, as shown in Table 131-03A.

Table 131-03A
Agricultural Zone Applicability

Previous Chapter 10 Agricultural Zone Replaced With New Agricultural Zone Established by This Division	
Agricultural Zone that Existed on December 31, 1999.	Applicable Zone of this Division
A-1-1	AR-1-2
A-1-5, A-1-10	AR-1-1
A-1-20	None
A-1-40	None
No Existing Zone	AG-1-1
No Existing Zone	AG-1-2

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0320 Use Regulations of Agricultural Zones

The regulations of Section 131.0322 apply in the agricultural zones unless otherwise specifically provided by footnotes indicated in Table 131-03B. The uses permitted in any zone may be further limited if *environmentally sensitive lands* are present, pursuant to Chapter 14, Article 3, Division 1 (Environmentally Sensitive Lands Regulations).

- (a) Within the agricultural zones, no *structure* or improvement, or portion thereof, shall be constructed, established, or altered nor shall any *premises* be used or maintained except for one or more of the purposes or activities listed in Table 131-03B. It is unlawful to establish, maintain, or use any *premises* for any purpose or activity not listed in this section or Section 131.0322.

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- (b) All uses or activities permitted in the agricultural zones shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors.
- (c) *Accessory uses* in the agricultural zones may be permitted in accordance with Section 131.0125.
- (d) Temporary uses may be permitted in the agricultural zones for a limited period of time with a Temporary Use Permit in accordance with Chapter 12, Article 3, Division 4.
- (e) For any use that cannot be readily classified, the City Manager shall determine the appropriate use category and use subcategory pursuant to Section 131.0110.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0322 Use Regulations Table for Agricultural Zones

The uses allowed in the agricultural zones are shown in Table 131-03B.

Legend for Table 131-03B

Symbol in Table 131-03B	Description of Symbol
P	Use or use category is permitted. Regulations pertaining to a specific use may be referenced.
L	Use is permitted with limitations, which may include location limitations or the requirement for a use or <i>development permit</i> . Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
N	Neighborhood Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
C	Conditional Use Permit Required. Regulations are located in Chapter 14, Article 1 (Separately Regulated Use Regulations).
-	Use or use category is not permitted.

Table 131-03B
Use Regulations Table of Agricultural Zones

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd » 3rd » 4th »	AG		AR	
		1-		1-	
		1	2	1	2
Open Space					
Active Recreation		-		P	
Passive Recreation		P		P	
Natural Resources Preservation		P		P	
Park Maintenance Facilities		-		-	
Agriculture					
Agricultural Processing		P ⁽⁴⁾		P ⁽⁴⁾	
Aquaculture Facilities		P		P	
Dairies		P		P ⁽⁸⁾	
Horticulture Nurseries & Greenhouses		P ⁽⁶⁾		P ⁽⁶⁾	
Raising & Harvesting of Crops		P		P	
Raising, Maintaining & Keeping of Animals		P ⁽²⁾		P ^{(2),(3)}	
Separately Regulated Agriculture Uses					
Agricultural Equipment Repair Shops		C		-	
Commercial Stables		L		L	
Community Gardens		L		L	
Equestrian Show & Exhibition Facilities		C		C	
Open Air Markets for the Sale of Agriculture-Related Products & Flowers		L		L	
Residential					
Group Living Accommodations		-		-	
Mobilehome Parks		-		-	
Multiple Dwelling Units		-		-	
Single Dwelling Units		P ⁽¹⁾		P	
Separately Regulated Residential Uses					
Boarder & Lodger Accommodations		L		L	
Companion Units		-		C	
Employee Housing:					
6 or fewer employees		L ⁽⁷⁾		L ⁽⁷⁾	

(12-2001)

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd » 3rd » 4th »	AG		AR	
		1-		1-	
		1	2	1	2
12 or Fewer employees		L ⁽⁷⁾		L ⁽⁷⁾	
Greater than 12 employees		N		C	
Fraternities, Sororities and Student Dormitories		-		-	
Garage, Yard, & Estate Sales		-		L	
Guest Quarters		-		N	
Home Occupations		-		L	
Housing for Senior Citizens		-		-	
Live/Work Quarters		-		-	
Residential Care Facilities:					
6 or fewer persons		-		P	
7 or more persons		-		C	
Transitional Housing:					
6 or fewer persons		-		P	
7 or more persons		-		C	
Watchkeeper Quarters		-		-	
Institutional					
Separately Regulated Institutional Uses					
Airports		C		C	
Botanical Gardens & Arboretums		C		C	
Cemeteries, Mausoleums, Crematories		C		C	
Churches & Places of Religious Assembly		-		C	
Communication Antennas:					
Minor Telecommunication Facility		L		L	
Major Telecommunication Facility		C		C	
Satellite Antennas		L		L	
Correctional Placement Centers		-		-	
Educational Facilities					
Kindergarten through Grade 12		-		C	
Colleges / Universities		-		C	
Vocational / Trade School		-		-	
Energy Generation & Distribution Facilities		C		C	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd » 3rd » 4th »	AG		AR	
		1-		1-	
		1	2	1	2
Exhibit Halls & Convention Facilities		-		-	
Flood Control Facilities		L		L	
Historical Buildings Used for Purposes Not Otherwise Allowed		C		C	
Homeless Facilities:					
Congregate Meal Facilities		-		-	
Emergency Shelters		-		-	
Homeless Day Centers		-		-	
Hospitals, Intermediate Care Facilities & Nursing Facilities		-		C	
Interpretive Centers		P		P	
Museums		-		-	
Major Transmission, Relay, or Communications Switching Stations		C		C	
Social Service Institutions		-		-	
Retail Sales					
Building Supplies & Equipment		-		-	
Food, Beverages and Groceries		-		-	
Consumer Goods, Furniture, Appliances, Equipment		-		-	
Pets & Pet Supplies		-		-	
Sundries, Pharmaceuticals, & Convenience Sales		-		-	
Wearing Apparel & Accessories		-		-	
Separately Regulated Retail Sales Uses					
Agriculture Related Supplies & Equipment		C		C	
Alcoholic Beverage Outlets		-		-	
Plant Nurseries		C		C	
Swap Meets & Other Large Outdoor Retail Facilities		-		C	
Commercial Services					
Building Services		-		-	
Business Support		-		-	
Eating & Drinking Establishments		-		-	
Financial Institutions		-		-	
Funeral & Mortuary Services		-		-	

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-		1-	
	4th »	1	2	1	2
Maintenance & Repair		-		-	
Off-Site Services		-		-	
Personal Services		-		-	
Assembly & Entertainment		-		-	
Radio & Television Studios		-		-	
Visitor Accommodations		-		-	
Separately Regulated Commercial Services Uses					
Adult Entertainment Establishments:		-		-	
Adult Book Store		-		-	
Adult Cabaret		-		-	
Adult Drive-In Theater		-		-	
Adult Mini-Motion Picture Theater		-		-	
Adult Model Studio		-		-	
Adult <i>Motel</i>		-		-	
Adult Motion Picture Theater		-		-	
Adult Peep Show Theater		-		-	
Adult Theater		-		-	
Body Painting Studio		-		-	
Massage Establishment		-		-	
Sexual Encounter Establishment		-		-	
Bed & Breakfast Establishments:					
1-2 Guest Rooms		-		L	
3-5 Guest Rooms		-		N	
6+ Guest Rooms		-		C	
Boarding Kennels		L		L	
Camping Parks		C		C	
Child Care Facilities:					
Child Care Centers		-		C ⁽⁹⁾	
Large Family Day Care Homes		-		L ⁽⁹⁾	
Small Family Day Care Homes		-		P	
Eating and Drinking Establishments Abutting Residentially Zoned Property		-		-	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd » 3rd » 4th »	AG		AR	
		1-		1-	
		1	2	1	2
Fairgrounds		-		C	
Golf Courses, Driving Ranges, and Pitch & Putt Courses		C		C	
Helicopter Landing Facilities		C		C	
Instructional Studios		-		-	
Massage Establishments, Specialized Practice		-		-	
Nightclubs & Bars over 5,000 square feet in size		-		-	
Outpatient Medical Clinics		-		-	
Parking Facilities as a <i>Primary Use</i> :					
Permanent Parking Facilities		-		-	
Temporary Parking Facilities		-		-	
Private Clubs, Lodges and Fraternal Organizations		-		-	
Privately Operated, Outdoor Recreation Facilities over 40,000 square feet in size ⁽⁵⁾		-		C	
Pushcarts					
Pushcarts on Private Property		-		-	
Pushcarts in <i>public right-of-way</i>		-		-	
Recycling Facilities:					
Large Collection Facility		N		N ⁽⁹⁾	
Small Collection Facility		L		L	
Large Construction & Demolition Debris <i>Recycling Facility</i>		-		-	
Small Construction & Demolition Debris <i>Recycling Facility</i>		-		-	
Drop-off Facility		-		-	
Green Materials Composting Facility		L		N	
Mixed Organic Composting Facility		C		C	
Large Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables from Commercial & Industrial Traffic		-		-	
Large Processing Facility Accepting All Types of Traffic		-		-	
Small Processing Facility Accepting at Least 98% of Total Annual Weight of Recyclables From Commercial & Industrial Traffic		-		-	
Small Processing Facility Accepting All Types of Traffic		-		-	
Reverse Vending Machines		-		-	
Tire Processing Facility		-		-	
Sidewalk Cafes		-		-	

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-		1-	
	4th »	1	2	1	2
Sports Arenas & Stadiums		-		-	
Theaters that are outdoor or over 5,000 square feet in size		-		-	
Veterinary Clinics & Animal Hospitals		C		C	
Zoological Parks		C		C	
Offices					
Business & Professional		-		-	
Government		-		-	
Medical, Dental, & Health Practitioner		-		-	
Regional & Corporate Headquarters		-		-	
Separately Regulated Office Uses					
Real Estate Sales Offices & Model Homes		-		L	
<i>Sex Offender</i> Treatment & Counseling		-		-	
Vehicle & Vehicular Equipment Sales & Service					
Commercial Vehicle Repair & Maintenance		-		-	
Commercial Vehicle Sales & Rentals		-		-	
Personal Vehicle Repair & Maintenance		-		-	
Personal Vehicle Sales & Rentals		-		-	
Vehicle Equipment & Supplies Sales & Rentals		-		-	
Separately Regulated Vehicle & Vehicular Equipment Sales & Service Uses					
Automobile Service Stations		-		-	
Outdoor Storage & Display of New, Unregistered Motor Vehicles as a <i>Primary Use</i>		-		-	
Wholesale, Distribution, Storage					
Equipment & Materials Storage Yards		-		-	
Moving & Storage Facilities		-		-	
Warehouses		-		-	
Wholesale Distribution		-		-	
Separately Regulated Wholesale, Distribution, and Storage Uses					
Impound Storage Yards		-		-	
Junk Yards		-		-	
Temporary Construction Storage Yards Located Off-Site		N		N	
Industrial					

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Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-		1-	
	4th »	1	2	1	2
Heavy Manufacturing		-		-	
Light Manufacturing		-		-	
Marine Industry		-		-	
Research & Development		-		-	
Trucking & Transportation Terminals		-		-	
Separately Regulated Industrial Uses					
<i>Hazardous Waste</i> Research Facility		-		C ⁽⁹⁾	
<i>Hazardous Waste</i> Treatment Facility		-		C ⁽⁹⁾	
Marine Related Uses Within the Coastal Overlay Zone		-		-	
Mining and Extractive Industries		C		C	
Newspaper Publishing Plants		-		-	
Processing & Packaging of Plant Products & Animal By-products Grown Off-premises		C		-	
Very Heavy Industrial Uses		-		-	
Wrecking & Dismantling of Motor Vehicles		-		-	
Signs					
Allowable Signs		L		L	
Separately Regulated Signs Uses					
Community Identification <i>Signs</i>		N		N	
Reallocation of <i>Sign</i> Area Allowance		-		-	
Revolving <i>Projecting Signs</i>		-		-	
<i>Signs</i> with Automatic Changing Copy		-		-	
Theater <i>Marquees</i>		-		-	

Footnotes for Table 131-03B

- 1 This use is permitted only as an *accessory use* to a permitted agricultural use.
- 2 Maintaining, raising, feeding, or keeping of 10 or more domestic animals requires a *premises* of at least 5 acres.
- 3 Excludes maintaining, raising, feeding, or keeping of swine.
- 4 See Section 131.0323(a).
- 5 The 40,000 square feet includes all indoor and outdoor areas that are devoted to the recreational use; it does not include customer parking areas.
- 6 See Section 131.0323(b).
- 7 For housing 6 or fewer employees, see Section 141.0303 to determine which use regulations apply.

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- ⁸ Dairies require a *premises* of at least 5 acres.
⁹ This use is not allowed within the Coastal Overlay Zone
(Amended 6-12-2001 by O-18948 N.S.; effective 12-12-2001.)

§131.0323 Additional Use Regulations of Agricultural Zones

The uses in this section are permitted within the agricultural zones as indicated subject to the regulations listed.

- (a) Agricultural processing is permitted as an *accessory use* subject to the following:
- (1) The processing must be accessory to a primary agricultural use located on the same *premises*;
 - (2) At least 60 percent of the products to be processed must be produced on the same *premises*; and
 - (3) Killing or dressing of animals other than poultry, fowl, or rabbits raised on the same *premises* is not permitted. Any building used for this purpose shall not be closer than 50 feet to any *property line*.
- (b) Horticulture nurseries are permitted subject to the following:
- (1) Only plants are permitted to be sold on the *premises*. The sale of nonplant items requires a Conditional Use Permit for a plant nursery in accordance with Section 141.0503;
 - (2) At least 75 percent of the plants available for sale must be propagated or grown from saplings on the *premises*; and
 - (3) The only buildings permitted on the *premises* are greenhouses, maintenance equipment storage buildings, and one building with a maximum area of 300 square feet for sales transactions.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000.)

§131.0330 Development Regulations of Agricultural Zones

- (a) Within the agricultural zones, no *structure* or improvement shall be constructed, established, or altered, nor shall any *premises* be used unless the *premises* complies with the regulations and standards in this division and with any applicable development regulations in Chapter 13, Article 2 (Overlay Zones) and Chapter 14 (General and Supplemental Regulations).
- (b) A Neighborhood Development Permit or Site Development Permit is required for the types of *development* identified in Table 143-03A.
- (c) The regulations in this division apply to all *development* in the agricultural base zones whether or not a permit or other approval is required except where specifically identified.
- (d) For development within the Del Mar Mesa Specific Plan area the development regulations identified in the Del Mar Mesa Specific Plan adopted on May 27, 1997 by Ordinance O-18337 shall apply.
(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

§131.0331 Development Regulations Table for Agricultural Zones

The following development regulations apply in the agricultural zones as shown in Table 131-03C.

**Table 131-03C
Development Regulations of Agricultural Zones**

Development Regulations [See Section 131.0330 for Development Regulations of Agricultural Zones]	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-	1-	1-	1-
	4th »	1	2	1	2
Max Permitted Residential Density (DU Per Lot)		1 ⁽¹⁾	1 ⁽¹⁾	1 ⁽²⁾	1 ⁽³⁾
Min Lot Area (ac)		10	5	10	1
Min Lot Dimensions					
Lot Width (ft)		200	200	200	100 ⁽⁴⁾
Street Frontage (ft)		200	200	200	100 ⁽⁵⁾
Lot Depth (ft)		200	200	200	150
Setback Requirements					

(12-2001)

Development Regulations [See Section 131.0330 for Development Regulations of Agricultural Zones]	Zone Designator	Zones			
	1st & 2nd »	AG		AR	
	3rd »	1-	1-	1-	1-
	4th »	1	2	1	2
Min Front <i>Setback</i> (ft)		25	25	25	25
Min Side <i>Setback</i> (ft)		20	20	20	20
Min Rear <i>Setback</i> (ft)		25	25	25	25
Max <i>Structure Height</i> (ft) [See Section 131.0344]		30	30	30	30
Max <i>Lot Coverage</i> (%) ⁽⁷⁾		10	20	10	20
Min <i>Floor Area</i> ⁽⁶⁾		applies	applies	applies	applies

Footnotes for Table 131-03C

- 1 A *single dwelling unit* is permitted only as an *accessory use* to a permitted agricultural use on the same *premises*.
- 2 See Section 131.0340(a).
- 3 See Section 131.0340(b).
- 4 See Section 131.0342(a).
- 5 See Section 131.0342(b).
- 6 Each dwelling unit shall have a *gross floor area* of at least 650 square feet, not including the garage.
- 7 *Structures* that are used to provide shade areas for growing plants, such as green houses and agricultural shade *structures*, are not included for determining *lot coverage*.

(Added 12-9-1997 by O-18451 N.S.; amended 10-18-1999 by O-18691 N.S.; effective 1-1-2000; amended 6-19-2000 by O-18814 N.S.)

§131.0340 Maximum Permitted Residential Density in Agricultural Zones

- (a) Within the AR-1-1 zone, an exception to the permitted residential *density* of one *single dwelling unit* per *lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
 - (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
 - (2) Dwelling units shall be clustered and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per 10 acres, except as described in Section 131.0340(a)(4).

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- (3) The remainder of the *premises* shall be left undeveloped until and if complete *development* at urban intensity is appropriate.
 - (4) Within the future urbanizing area, except within the Del Mar Mesa Specific Plan area, an increase in *density* of up to one dwelling unit per 4 acres of lot area may be requested through a Planned Development Permit in accordance with Process Five subject to the regulations in Section 143.0402. The remainder of the *premises* shall be left undeveloped in perpetuity. For development within the Del Mar Mesa Specific Plan area, the rural cluster option is not available, and the maximum permitted *density* is that identified in the Del Mar Mesa Specific Plan adopted on May 27, 1997 by Ordinance O-18377.
- (b) Within the AR-1-2 zone, an exception to the permitted residential *density* of one *single dwelling unit per lot* may be requested as a rural cluster development through a Planned Development Permit in accordance with Process Four subject to the following:
- (1) The proposed *development* shall comply with Chapter 14, Article 3, Division 4 (Planned Development Permit Regulations).
 - (2) Dwelling units shall be clustered and need not be located on individual *lots* provided the overall *density* does not exceed one dwelling unit per acre.
 - (3) The remainder of the *premises* shall be left undeveloped until and if complete *development* at urban intensity is appropriate.

(Amended 1-9-2001 by O-18910 N.S.; effective 8-8-2001.)

§131.0342 Minimum Lot Dimensions in Agricultural Zones

- (a) In the AR-1-2 zone, the front 25 percent of a *lot* may be tapered to coincide with the *street frontage* permitted in accordance with Section 131.0342(b) if that *lot* abuts the end of a *public right-of-way* where no provision is made for its future extension.
- (b) In the AR-1-2 zone, the required *street frontage* may be reduced to 60 feet for *lots* located at the end of a *street* where no provision is made for its future extension.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0343 Setback Requirements in Agricultural Zones

The minimum side *setback* for a legal *lot* that existed on the effective date of this section and that has less than the minimum lot width specified in Table 131-03C, is 10 percent of the width of the *lot* or 5 feet, whichever is greater.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§131.0344 Maximum Structure Height in Agricultural Zones

A *structure* may exceed the 30-foot *structure height* limit if the front, side, and rear *setbacks* are each increased by 10 feet for each 10 feet, or portion thereof, of *structure height* above 30 feet, except as limited by the regulations in Chapter 13, Article 2 (Overlay Zones).

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)